

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LIFE TECHNOLOGIES CORPORATION,)
and)
APPLIED BIOSYSTEMS, LLC,)

Plaintiffs,

v.

BIOSEARCH TECHNOLOGIES, INC.,)
BIO-SYNTHESIS, INC.,)
EUROFINS MWG OPERON INC., and)
THE MIDLAND CERTIFIED REAGENT)
COMPANY, INC.)

Defendants.

CIVIL ACTION NO. 2:09-cv-00283

DEMAND FOR JURY TRIAL

SECOND DECLARATION OF DAVID K. WOOTEN

I, David K. Wooten, hereby declare:

1. I am an associate with the law firm of Vinson & Elkins, LLP, counsel to Plaintiffs Life Technologies Corporation and Applied Biosystems, LLC in this action. I have personal knowledge of the following facts and if called to testify I could and would testify competently to the matters stated herein.
2. Attached hereto as Exhibit 1 is a true and correct copy of a Certificate of Account Status for Bio-Synthesis, Inc. ("Bio-Synthesis") from the Texas Comptroller indicating a "good standing" status.
3. Attached hereto as Exhibit 2 is a true and correct copy of a page from the Bio-Synthesis website indicating its presence and activity in the Eastern District of Texas since 1989.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Goldberg Declaration submitted in *Eurofins Ventures BV v. Operon Holdings Inc. et al.*, Civil Action No. 1:08-cv-00481-MLC (D. Del. Oct. 29, 2008), Declaration of Daniel F. Goldberg, Docket Item No. 20.
5. Attached hereto as Exhibit 4 is a true and correct copy of a “Company Lookup Report” from www.dnb.com indicating the Eurofins MWG Operon has 125 total employees, 120 of which are employed in Huntsville, Alabama.

I declare under penalty of perjury under the laws of the United States of America that statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on this 29 day of March, 2010.



David K. Wooten